

**REMARKS**

Claims 1, 3-27, 29-33, 36, 38-40 and 42-43 are pending in the application. By this Amendment, claims 1, 3, 4, 6, 10, 16, 22-24, 26-27, 29-33, 36, 38-40 and 42-43 are amended and claims 2, 28, 34-35, 37 and 41 are canceled without prejudice or disclaimer. Various amendments are made for clarity and are unrelated to issues of patentability.

The Office Action rejects claims 1-3, 8-9, 17-27, 31-36 and 40-42 under 35 U.S.C. §102(b) by U.S. Patent 5,878,033 to Mouly. The Office Action also rejects claims 4-7 under 35 U.S.C. §103(a) over Mouly in view of U.S. Patent 6,144,653 to Persson et al. (hereafter Persson). Still further, the Office Action rejects claims 10-12 under 35 U.S.C. §103(a) over Mouly in view of U.S. Patent 6,697,352 to Ludwig et al. (hereafter Ludwig). The Office Action also rejects claims 28-30, 37-39 and 43 under 35 U.S.C. §103(a) over Mouly in view of Persson. The Office Action rejects claims 13-16 under 35 U.S.C. §103(a) over Mouly, Ludwig and Persson. The rejections are respectfully traversed with respect to the pending claims.

Independent claim 1 recites receiving in a mobile station at least one data unit of a short message service cell broadcasting (SMSBC) message broadcast from at least one cell of a communication system, and reading the SMSBC message based on a schedule message comprised of a plurality of fields for informing the mobile station of a location of the SMSBC message, a length of a schedule period, and whether a new SMSBC message has been broadcast, and wherein the plurality of fields includes a field for informing the mobile station of a location of a next schedule message.

The applied references do not teach or suggest at least these features of independent claim 1, which includes features from previous dependent claim 2. More specifically, the Office Action cites Mouly's col. 1, lines 25-31 and col. 9, line 1-col. 10, line 62 for features relating to a scheduling message comprised of a plurality of fields. When discussing dependent claim 2, the Office Action also cites Mouly's col. 10, lines 1-53 for features relating to a field for informing a mobile station of a location of a next schedule message. However, applicants respectfully submit that the cited sections of Mouly (including col. 10, lines 1-62) does not teach or suggest reading a SMSCB message based on a schedule message comprised of a plurality of fields, and wherein the plurality of fields includes a field for informing the mobile station of a location of a next schedule message. Mouly does not discuss a next schedule message. Mouly also does not suggest a field for informing a mobile station of a location of a next schedule message. The other applied references do not teach or suggest the features of independent claim 1 missing from Mouly. Therefore, independent claim 1 defines patentable subject matter.

Independent claim 22 recites scheduling a short message service cell broadcasting (SMSCB) message, multiplexing, at a media access control (MAC) layer in a first communication system, a common traffic channel with a common control channel, a dedicated traffic channel, and a dedicated control channel, wherein the common traffic channel and the common control channel are common logical channels and the dedicated traffic channel and the dedicated control channel are dedicated logical channels. Independent claim 22 also recites generating, at the MAC

layer, a schedule message for transmission of the SMSCB message, and transmitting the schedule message through the common traffic channel of the first communication system.

The applied references do not teach or suggest at least these features of independent claim 22, which includes features from previous dependent claim 28. More specifically, Mouly does not teach or suggest multiplexing at a MAC layer the variously claimed channels and/or generating, at the MAC layer, a schedule message for transmission of the SMSCB message. When discussing previous dependent claim 28, the Office Action appears to cite Persson to show features relating to a layer 2 protocol frame. However, Mouly and Persson do not disclose multiplexing at a MAC layer the respective channels in combination with generating, at the MAC layer, a schedule message for transmission of the SMSCB message. Persson does not suggest generating a schedule message at a MAC layer. The other applied references do not teach or suggest the features of independent claim 22 missing from Mouly and Persson. In summary, the applied references do not teach or suggest the claimed multiplexing at a MAC layer and generating, at the MAC layer, a schedule message for transmission of the SMSCB message. Thus, independent claim 22 defines patentable subject matter.

Independent claim 31 recites receiving a schedule message through a common traffic channel of a first communication system, and demultiplexing, at a media access control (MAC) layer in the first communication system, a common traffic channel with a common control channel, a dedicated traffic channel, and a dedicated control channel, wherein the common traffic channel and the common control channel are common logical channels and the dedicated

traffic channel and the dedicated control channel are dedicated logical channels. Independent claim 31 also recites reading a short message service cell broadcasting (SMSCB) message based on the schedule message, wherein the schedule message includes a plurality of fields for informing the mobile station of: a location of the SMSCB message, a length of a schedule period, and whether the network has broadcast a new SMSCB message, and a location of a next schedule message.

The applied references do not teach or suggest at least these features of independent claim 31, which includes features from previous dependent claims 34 and 35. More specifically, the applied references (including Mouly) do not teach or suggest receiving a schedule message, demultiplexing at a MAC layer as well as the schedule message including a field for informing the mobile station of a location of a next schedule. The applied references do not teach or suggest all the features of independent claim 31. Independent claim 31 therefore defines patentable subject matter.

Independent claim 40 recites various features including a UTRAN-MAC-c entity for generating at the UTRAN MAC layer a schedule message for transmission of the SMSCB message. Independent claim 40 also recites a UE-MAC-c entity for receiving a schedule message. Independent claim 40 also recites that the schedule message is comprised of a plurality of fields for informing a mobile station of a location of the SMSCB message, a length of a schedule period, whether a new SMSCB message has been broadcast and a location of a next schedule message.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 40, which includes features from previous dependent claim 41. More specifically, Mouly (and the other applied references) does not teach or suggest that the schedule message is comprised of a plurality of fields for informing the mobile station of at least a location of a next schedule message. Additionally, Mouly (and the other applied references) does not teach or suggest generating a schedule message at a UTRAN MAC layer. Thus, independent claim 40 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 22, 31 and 40 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 3-27, 29-33, 36, 38-40 and 42-43 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Serial No. **10/648,398**

Docket No. **K-0173A**

Reply to Office Action dated April 4, 2008

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
KED & ASSOCIATES, LLP



David C. Oren  
Registration No. 38,694

P.O. Box 221200  
Chantilly, Virginia 20153-1200

(703) 766-3777 DCO/kah

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